

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44973 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- KANTI District- Muzaffarpur

1. ANIVESH KUMAR Son of Brajbhushan Singh Resident of village - Kishunpur Mohini, P.S. - Kudhhani, Distt. - Muzaffarpur
2. Rahul Kumar Son of Ram Naresh Yadav Resident of village - Sahri, P.S. - Biraul, Distt. - Darbhanga
3. Pradeep Kumar Yadav @ Pradeep kumar Son of Vijay Yadav Resident of village - Jaynagar, P.s. - Manigachhi, Distt. - Darbhanga
4. Hari Mukhiya Son of Janak Mukhiya Resident of village - Amtahi, P.S. - Manigachhi, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

1. The petitioners prayed for regular bail in connection with Kanti P.S. Case no. 314 of 2023 instituted for the offence under Sections 30(a), 32(i)(ii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

2. Prosecution case relates to recovery of 341.280 liters of illicit liquor from a Brezza car bearing Registration no. HR93A-5613 and the petitioners are alleged to have arrested on spot.



3.Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They has falsely been implicated in this present case. They have got no criminal antecedent as stated in para-3 of the bail petition. Petitioners have no concern with the alleged recovery or with the vehicle in question from where the recovery has been made. No any incriminating article has been recovered from their possession. Moreover, similarly situated co-accused namely, Dhiraj Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt. 24.7.2023 passed in Cr. Misc. No. 40116 of 2023. It is further submitted that the petitioners are languishing in judicial custody since 02.05.2023.

4. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

5. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Kanti P.S. Case No. 314 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Special Judge Excise Court No.-II, Muzaffarpur, concerned
Court.

(Sunil Kumar Panwar, J)

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